

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
THOMPSON et al)
)
Serial No.: 08/482,283) ATTN: APPLICATIONS BRANCH
)
Filed: June 7, 1995)
)
For: PEGlation OF POLYPEPTIDES)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

COMMUNICATION

Applicants wish to bring to the attention of the Applications Branch the fact that the response to the Notice to File Missing Parts entitled "RESPONSE TO NOTICE TO FILE MISSING PARTS, PETITION UNDER RULE 182 TO CONVERT A RULE 1.53 DIVISIONAL APPLICATION INTO A RULE 1.60 DIVISIONAL APPLICATION, AND PETITION FOR EXTENSION OF TIME," filed January 17, 1996, for the above-referenced application, contained an error in the serial number in the caption. The erroneous serial number read "08/482,238" rather than the correct serial number "08/482,283." Applicants hereby request that the error in the Serial number be corrected by the Applications Branch and that the Response be entered as timely filed.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37

C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 

M. Paul Barker
Reg. No. 32,013

Dated: January 24, 1996

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
THOMPSON et al)
)
Serial No.: 08/482,238) Group Art Unit: Unknown
)
Filed: June 7, 1995) Examiner: Unknown
)
For: PEGlation OF POLYPEPTIDES)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS,
PETITION UNDER RULE 182 TO CONVERT A RULE 1.53
DIVISIONAL APPLICATION INTO A RULE 1.60 DIVISIONAL
APPLICATION, AND PETITION FOR EXTENSION OF TIME

Applicants hereby petition for a four-month extension of time to respond to the Notice to File Missing Parts dated August 17, 1995. A check in the amount of \$2,280.00 including the \$1,400.00 extension fee, is enclosed. A check in the amount of \$130.00 to cover the Petition fee under § 1.17(h) is also enclosed.

A Notice to File Missing Parts of the Application was mailed August 17, 1995, which indicated that the filing fee was missing. Therefore, a check in the amount of \$2,280.00 is enclosed to cover the filing fee of \$750.00, the surcharge of \$130.00, and the extension fee of \$1,400.00. A copy of the Notice is also enclosed.

The Notice also indicated that the Declaration or Oath and was due. This application was initially filed on June 7, 1995. On the filing papers, it was indicated that this application

was a divisional application under 37 C.F.R. § 1.53 of prior application Serial No. 08/319,506.

Under 37 C.F.R. § 1.182, Applicants hereby petition to convert this application to a divisional application under 37 C.F.R. § 1.60 of prior application Serial No. 08/319,413, which is a Rule 62 continuation application of Serial No. 07/850,675. Accordingly, enclosed is a true copy of the declaration that was filed in 07/850,675. Applicants also enclose a check in the amount of \$130.00 to cover the Petition fee under Rule 1.17(h).

The Notice also indicated that this application must comply with the Sequence Rules. The sequences in Figures 1 and 2 of the present application, however, were included in U.S. Serial No. 07/506,522, filed April 6, 1990 and in U.S. Serial No. 07/555,274, filed July 19, 1990, respectively. The present application claims the benefit of those applications under 35 U.S.C. § 120. Since the sequences were disclosed in applications filed before the effective date for the new sequence rules (October 1, 1990) and the present application claims the benefit of those earlier applications under section 120, the sequences in the present application do not need to comply with the sequence listing rules. See M.P.E.P. 2421.01. Accordingly, applicants have not submitted a computer readable form of the Sequence Listing. If applicants have misinterpreted M.P.E.P. 2421.01, applicants request the United States Patent and Trademark Office to clarify this point.

If there are any other fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By:



M. Paul Barker
Reg. No. 32,013

Dated: January 17, 1996

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

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FACSIMILE TRANSMITTAL SHEET

Subject: SN 08/482,283

Date: May 29, 1996

Client/Matter No.: 04189.0083-06

Submitted by: Joanne Moran/MD 854

TO:

FROM:

Name: Ms. Josie Ballato

Name: M. Paul Barker

Firm: U.S. PTO

No. of Pgs. (Incl. this page): 9

Fax No.: (703) 308-6916

Attorney Approval: MPB/Gr

MESSAGE:

Enclosed:

- 1) Second Communication Regarding Serial No.;
- 2) Change of Address and Associate Power of Attorney;
- 3) Copy of Communication filed January 24, 1996; and
- 4) Copy of Response and Petition filed January 17, 1996.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify us immediately by telephone (collect), and return the original message to us at the above address.

** TX CONFIRMATION REPORT **

AS OF MAY 29 '96 15:25 PAGE.01

FINNEGAN HENDERSON

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	STATUS
01	5/29	15:21	703 308 6916	G3--S	03"46	09	OK

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Assistant Commissioner for Patents
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Sir:

SECOND COMMUNICATION REGARDING SERIAL NUMBER

On January 24, 1996, applicants submitted a Communication notifying the U.S. Patent and Trademark Office (PTO) that they had filed a Response and Petition on January 17, 1996, which included an incorrect serial number. On May 29, 1996, Ms. Josie Ballato of the PTO told the undersigned in a telephone discussion that the original Response and Petition had not been found by the PTO. Accordingly, Ms. Ballato requested that the Response and Petition be resubmitted.

Applicants enclose copies of both the Response and Petition, which was originally filed on January 17, 1996, and the Communication filed on January 24, 1996. Applicants hereby request that the error in the Serial number be corrected by the Applications Branch and that the Response be entered as timely filed.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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M. Paul Barker
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Dated: May 29, 1996